

California Regional Water Quality Control Board
Santa Ana Region

March 12, 2004

ITEM: 27

SUBJECT: Executive Officer's Report

DISCUSSION:

1. **Update On Huntington Harbour *Caulerpa Taxifolia* Eradication** – An infestation of the highly invasive *Caulerpa taxifolia*, a non-native tropical marine alga, was first discovered in Agua Hedionda Lagoon, San Diego County, and then detected in two lagoons adjacent to Huntington Harbour in 2000. *Caulerpa* proliferates in a variety of marine ecosystems by out-competing, and then replacing, the native plant species. A similar strain of *Caulerpa* invaded the Mediterranean Sea off Monaco. Vast areas of the Mediterranean have been affected by the infestation and will likely never recover.

The Santa Ana Regional Board partnered with the San Diego Regional Board, the Department of Fish and Game (CDFG), US National Oceanic and Atmospheric Administration (NOAA), US Department of Agriculture (USDA) and other organizations to form the Southern California Caulerpa Action Team (SCCAT). The Regional Board staff representative is Wanda Marquis-Smith. SCCAT developed a surveillance, eradication, and monitoring plan to pursue eradication of *Caulerpa* in Southern California. The action plan includes an education and outreach program focused on the commercial and recreational fishing and aquarium industries. SCCAT agencies also supported the development of legislation, which was approved in 2001, making illegal the sale, possession, release, or transfer of *Caulerpa* in California. The Regional Board has provided a total of \$700,000 through the State Board's Cleanup and Abatement Account to fund the Huntington Harbour *Caulerpa* eradication program.

Eradication of *Caulerpa* in the two lagoons at Huntington Harbour (located in the Seagate community) has proceeded satisfactorily. No *Caulerpa taxifolia* has been detected in the lagoons since November 2002. SCCAT is currently implementing a three-year monitoring and surveillance program in the lagoons/Huntington Harbour to: 1) identify any new patches of *Caulerpa* and assure that they do not proliferate, and 2) insure that there is no regrowth within the previously infested areas.

On February 19, 2004, NOAA circulated a news release stating that SCCAT is cautiously optimistic that the *Caulerpa* outbreak has been contained and controlled within both sites (Agua Hedionda and the two lagoons adjacent to Huntington Harbour). If the species is not detected through the fall of 2004, SCCAT expects to declare the two sites free of *Caulerpa*. However, the SCCAT agencies will continue to be vigilant, given the inherent difficulty of locating and eradicating the species with complete assurance. The continued success of the eradication program will depend upon continued outreach, education, and surveillance for *Caulerpa*, as well as other invasive species. A declaration that this species has been eradicated from the two sites would represent the first successful eradication of this invasive marine alga species.

2. **Nitrogen/TDS Basin Plan Amendment Presentations to Agencies** – During the January 22, 2004 public hearing to consider adoption of the basin plan amendment for the Regional Board's salt management plan, the Board directed me to attend the board meetings of a number of local agencies to discuss the basin plan amendment with these agency boards. I have since visited with the Board of Directors of the Inland Empire Utilities Agency (IEUA), the Board of Directors of the Chino Basin Watermaster, the Advisory Committee of the Chino Basin Watermaster, the Agricultural Pool of the Chino Basin Watermaster, the Appropriative Pool of the Chino Basin Watermaster, and on March 9th, I will appear at the Board Meeting of the Santa Ana Watershed Project Authority.

The response to the adopted basin plan amendment at IEUA and at all of the Watermaster meetings has been consistently positive. We discussed the language changes made at the hearing that responded to their concerns about specific agency commitments for the construction of a third Chino Basin desalter. They felt the revised language provides the flexibility that they believe is necessary to support their Optimum Basin Management Program.

I also found it interesting that the Chino Basin Watermaster had earlier asked their legal counsel to undertake a detailed assessment of the basin plan amendment and whether the requirements in the amendment for implementation of maximum benefit water quality objectives were consistent with the Watermaster Optimum Basin Management Program and their Peace Agreement. Watermaster counsel provided an excellent analysis of both the amendment and the Watermaster Programs and, as a bottom line, told the Watermaster Board and Pools that he did not find them to be inconsistent (his phrasing). He did say that some of the basin plan requirements were a little "different" than the Watermaster programs, but that did not make them inconsistent. This is what we hoped to hear, because it was our intent to craft the amendment to closely conform to the requirements of the Watermaster activities, which will be under the supervision of the courts.

He also indicated that Watermaster has a number of decision points on the horizon, beginning in 2005, as staff explained to the Regional Board on January 22nd, and it will be completely in the hands of Watermaster, or other responsible agencies, whether they pursue the implementation of the maximum benefit objectives, or they simply allow the antidegradation objectives to automatically become effective.

It should also be noted that the Watermaster Board also voted to request that the State Water Resources Control expedite review of the basin plan amendment, so that it will become effective at the earliest possible date.

3. **California EPA Secretary Terry Tamminen at California State University, San Bernardino (CSUSB)** – On February 13, 2004, the Water Resources Institute at CSUSB hosted recently appointed Cal/EPA Secretary Terry Tamminen for a talk with a large group of water professionals from the Inland Empire. Secretary Tamminen covered a large number of relevant topics, including the California budget issues, water quality concerns, air pollution, his personal environmental motivations, and the Governor's environmental policies. The Secretary is a very polished speaker, and his remarks were very well received.

It should be noted that, when he asked whether anyone had any questions, the first question he received was about perchlorate and the State's progress towards setting an MCL. He indicated that he was not surprised that the first question concerned perchlorate, and he provided some discussion on the steps that would be taken leading to the setting of an enforceable perchlorate standard.

4. **Southern California Salinity Coalition** – On February 25th, the Southern California Salinity Coalition sponsored a Salinity Roundtable at the new offices of the Inland Empire Utilities Agency (IEUA), at which the Executive Officers from the Los Angeles, San Diego and Santa Ana Regions were requested to present our salt management plans. The timing of this assignment was fortuitous, given the Board's adoption of a new salt management plan on January 22nd. I described in detail the Board's efforts, including the stakeholder-driven process, consensus-building, strict conformance with state and federal laws and regulations, and an extremely rigorous scientific approach. The audience included a number of N/TDS Task Force participants, including IEUA General Manager Rich Atwater, who added a number of very supportive comments. It seemed that the Santa Ana Region's plan was very well received by the audience.

5. Chino Basin Watermaster Support for Ontario Airport Plume Investigation –

Another of the side benefits of visiting each of the Pools and the Advisory Committee of the Chino Basin Watermaster was the opportunity to discuss with all of the Watermaster members the situation south of Ontario Airport where a large VOC (solvents) plume exists. Watermaster members were concerned that the Regional Board staff is not working on this plume, even though it has been determined to extend south all of the way to the desalter extraction wells near Chino Airport. Our discussions included the current unrelieved staff focus on the perchlorate contamination in the Rialto and Colton Basins, and the lack of staff and funding to address other sites, including the one south of Ontario Airport. When asked how Watermaster could help, I indicated that, if Watermaster could provide the services of a qualified consultant, working at the direction of Board staff (and not Watermaster), then we could move investigation of this plume along to the point of identifying responsible parties to address their past discharges. Watermaster General Manager, John Rossi, thought that it was possible that the Watermaster members would support such a proposal and brought it forward.

The water supply professionals in the Appropriative Pool (cities and water suppliers within the Chino Basin) were quick to support the proposal, but the discussion was quite spirited in the Agricultural Pool (even though none of the costs would accrue to this pool), and there was good discussion at both the Watermaster Advisory Committee and the Watermaster Board. In the end, Watermaster agreed to provide \$25,000 worth of consulting support for our investigation at Ontario. I believe that this will allow us to identify responsible parties, bring them to the table, and move this project into a Cleanup and Abatement Order, pursuant to CWC Section 13304, if necessary, after which we can move this project into a cost-recovery mode, where funding exists to pursue the remediation.

This matter will be discussed in greater detail with the Board as our investigation progresses.